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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

**JAMES LEONARD WATERS, JR.**

Plaintiff,

vs.

**THE UNITED STATES OF AMERICA,**

Defendant.

**Case No. 2:21-cv-01719-CDS-EJY**

**STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES  
(First Request)**

Pursuant to LR IA 6-1 and LR 26-3, Plaintiff requests, and Defendant does not oppose, a 90-day extension of certain discovery deadlines as, and for the reasons, set forth below. In support of this stipulated request, the parties inform the Court of the following:

**DISCOVERY COMPLETED**

Following the Rule 26(f) conference, the parties served their respectful initial disclosures of documents and witnesses in March and April 2022.

On March 30, 2022, Defendant served Plaintiff with interrogatories and requests for production.

Plaintiffs are preparing to serve written discovery on Defendant.

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## DISCOVERY REMAINING

The parties will take the depositions of plaintiff and defendant.

The parties will take the depositions of several percipient witnesses in the case.

Initial Expert Disclosures and Rebuttal Expert Disclosures remain.

The parties will take the depositions of expert witnesses.

The parties reserve the right to engage in other discovery as permitted by applicable rule and within the discovery window.

## WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

There have been a number of delays in the case, including a change of Defense attorneys. Defendant USA filed a motion to dismiss Plaintiff's cause of action for Intentional Infliction of Emotional Distress. The Court has not yet ruled on that Motion. The case was recently reassigned to another Department.

## EXTENSION OF THE DISCOVERY PLAN AND SCHEDULING ORDER

The following table set forth the current deadlines and the proposed extended deadlines that are the subject of this stipulated request:

| SCHEDULED EVENT               | CURRENT DEADLINE     | PROPOSED DEADLINE |
|-------------------------------|----------------------|-------------------|
| Expert Disclosures            | 6/1/22               | 9/1/22            |
| Rebuttal Expert Disclosures   | 7/1/22               | 10/3/22           |
| Discovery Cutoff              | 8/1/22               | 11/1/22           |
| Dispositive Motions           | 8/31/22              | 11/30/22          |
| Proposed Joint Pretrial Order | 9/30/22 <sup>1</sup> | 12/30/22          |

This request for an extension of time is not sought for any improper purpose including undue delay.

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<sup>1</sup>However, if dispositive motions are filed, the proposed joint pretrial order will be due thirty days after the ruling on such dispositive motions.

1 This is the first request for an extension of deadlines in this matter.

2 Respectfully submitted this 3<sup>rd</sup> day of May, 2022.

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4 LAIRD LAW PLLC

CHRISTOPHER CHIOU  
Acting United States Attorney

5 /s/ Danial Laird

/s/ Patrick Rose

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7 DANIAL LAIRD, ESQ.  
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8 Attorney for Plaintiff

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Assistant United States Attorney  
Attorneys for the United States

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10 IT IS SO ORDERED:

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13 UNITED STATES MAGISTRATE JUDGE

14 Dated: May 3, 2022

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